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October 5, 2001

Via Facsimile and U.S. Mail  
(916) 322-0886

Luisa Menchaca, General Counsel  
Fair Political Practices Commission  
P.O. Box 807  
Sacramento, CA 95812-0807

Re: Written Comments Concerning Proposed Regulation  
Concerning Cumulative Contributions  
Title 2 California Code of Regulations Section 18421.4

Dear Ms. Menchaca:

This law firm is counsel to California Laborers for Equality and Progress (Cal-LEAP), a general purpose recipient committee sponsored by the Northern California District Council of Laborers and the Southern California District Council of Laborers. The two district councils are labor organizations representing over 54,000 laborers in California.

By written notice, the Commission sought comments on a proposed regulation--Title 2 California Code of Regulations Section 18421.4--to be considered at the public hearing scheduled for October 11, 2001.

As a general purpose recipient committee which will be governed by the proposed regulation, Cal-LEAP understands and agrees with the Commission's proposal that contributions made by a recipient committee be cumulated, for reporting purposes, both based on the calendar year and based on the amount contributed "for" a given election. However, CAL-LEAP is concerned that the proposal also requires recipient committees to disclose cumulative amounts received for each election.

CAL-LEAP, like most sponsored recipient committees, receives contributions from numerous contributors on an ongoing basis.

Luisa Menchaca, General Counsel  
October 5, 2001  
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And it is CAL-LEAP--not the individual contributor--that decides how CAL-LEAP's funds are expended. Thus, it could forcibly be argued that none of CAL-LEAP's contributions are received "for" any given election. CAL-LEAP and other similarly situated organizations are concerned, nevertheless, that the Commission's Enforcement Division or a private litigant could argue that contributions received during an election cycle are "for" specific elections, especially if the funds expended during the period equal or exceed the funds contributed.

In light of this CAL-LEAP respectfully suggests that the regulation be amended to make clear that recipient committees need only report cumulative totals of contributions received "for" a particular election if those contributions are specifically and expressly so earmarked by the contributor or if the contributions are solicited with an express representation by the soliciting recipient committee that the funds will be used "for" a particular election.

I trust that these comments are helpful to the Commission. If I may be of additional assistance, or you would like additional information concerning Cal-LEAP's position, please give me a call.

Very truly yours,



Laurence S. Zakson  
of REICH, ADELL, CROST & CVITAN

LSZ/caw

cc: Mike Quevedo, Jr.